



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

SFUND RECORDS CTR
2056241

November 25, 2003

Sent Via Fax and U.S. Certified Mail

Ms. Tamara G. Edwards, Vice President
Oahu Sugar Company, LLC
700 Bishop Street
Honolulu, HI 96813

Re: Oahu Sugar Company Site at Pearl Harbor Naval Complex

Dear Ms. Edwards:

On October 14, 2003, the U.S. Environmental Protection Agency (EPA) received a response from Ms. Lisa Woods Munger of Goodsill, Anderson, Quinn & Stifel LLP, representing the Oahu Sugar Company, LLC (OSCO), to our letter requiring OSCO to provide EPA with a commitment to immediately abate the dangers posed by the soil contamination at the Oahu Sugar Company Site (Site) at the Pearl Harbor Naval Complex. OSCO notified EPA it would investigate response measures for the Site and identify interim measures and corresponding costs.

EPA has not yet received any additional information from OSCO concerning these response measures. In order to facilitate OSCO action at the Site, EPA has prepared the attached Work Plan Outline that establishes the framework for a full work plan and identifies the steps necessary to implement a removal action for the Site. The proposed interim remedy, a temporary cover, is intended to prevent runoff of contaminated soil from the Site and exposure of trespassers and ecological receptors to Site contaminants.

EPA requests that OSCO expeditiously implement the interim response, including additional soil sampling and the temporary cover to abate dangers posed by soil contamination at the Site. EPA is not, at this time, requesting the Department of the Navy (DON) to conduct this work.

Please notify me in writing no later than December 5, 2003 of your intent to (1) submit a full work plan, including cost estimate and aggressive implementation schedule; (2) implement the interim response action; and (3) enter into an Administrative Order on Consent (AOC) with EPA governing the submittal of the work plan and implementation of the interim response action. The full work plan, including cost estimate and aggressive implementation schedule, following the Work Plan Outline shall be prepared by OSCO and submitted to EPA for review and approval on or before January 23, 2004. OSCO would then implement the remedy pursuant to the terms of the AOC that would be negotiated with EPA.

If OSCO fails to adequately respond by the deadlines, EPA may use its authority under Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9506 to ensure Site dangers are properly addressed. In addition, the implementation of this interim response action does not release OSCO from further response actions that may be needed to achieve final disposition of the Site.

EPA looks forward to your full cooperation and your prompt implementation of the interim action. If you have any questions please contact Ms. Jeannie Cervera at (415) 972-3949 or cervera.jeannie@epa.gov. For technical questions please contact Mr. Lewis Mitani of my staff at (415) 972-3032 or mitani.lewis@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Takata", followed by a horizontal line.

Keith Takata
Director
Superfund Division

Attachment: Work Plan Outline

cc: Melvin Z. Waki, DOD DON PACDIV
Gerald Kohns, DOD DON NAVFAC (w/o Attachment)
Perry Sobel, DOD DON OGC Navy Litigation (w/o Attachment)
Laurence K. Lau, Deputy Director Hawaii DOH (w/o Attachment)
Keith Kawaoka, Hawaii DOH HEER

WORK PLAN OUTLINE

**in support of an Interim Remedy
for the Oahu Sugar Site
on the Pearl Harbor Naval Complex, Oahu, Hawai'i**

**Prepared by TechLaw, Inc.
for the U.S. Environmental Protection Agency, Region 9**

November 21, 2003